



07-CV-00248-ORD

ORIGINAL

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,
ex rel. MARSHALL S. HORWITZ, M.D.,

Plaintiff,

v.

AMGEN, INC. and DAVID C. DALE,

Defendants.

No. C07-0248 BHS

UNDER SEAL

ORDER


The United States has filed an *Ex Parte* Motion for an Extension of time to Consider Election to Intervene, in which the government seeks an approximate three (3) month extension of time, from May 21, 2012, up to and including August 31, 2012, in which to notify the Court whether it intends to intervene in this *qui tam* lawsuit and finalize its settlement with Defendant Amgen. Such an extension of time is expressly contemplated by the False Claims Act, which provides that the United States "may, for good cause shown move the Court for extensions of time. . . ." 13 U.S.C. § 3730(b)(3). The Court finds that such good cause exists here.

Accordingly, it is hereby ORDERED that the United States shall have from May 21, 2012, to August 31, 2012, to notify the Court of its decision whether or not to intervene in this *qui tam* action. The Clerk shall otherwise maintain the Complaint and other filings under seal for the duration of the government's investigation, unless otherwise ordered by the Court.

1 DATED this 17 day of May, 2012.

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4 BENJAMIN H. SETTLE
United States District Judge

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6 Presented by:

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9 HAROLD MALKIN, WSBA #30986
Assistant United States Attorney